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15 U.S. DISTRICT COURT
16 CENTRAL RIVERSIDE

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION

UNITED STATES for the use of
FERGUSON ENTERPRISES, INC.,

CASE NO.: EDCV 07 00233 SGL
(JCRx)

17 Plaintiff,
18 vs.
19 FIDELITY AND DEPOSIT COMPANY
20 OF MARYLAND, a corporation;
BURNS & MCDONNELL
CONSTRUCTION, INC., a
corporation,

~~PROPOSED~~] JUDGMENT

21 Defendants.

22
23 Plaintiff's Motion for Summary Judgment came on for
24 hearing on Monday, November 19, 2007 at 10:00 A.M. in Courtroom
25 1, the Honorable Stephen G. Larson, Judge presiding. Loraine
26 Todd of George Sykulski, A Professional Law Corporation,
27 appeared on behalf of Plaintiff; Jonathan J. Dunn of Sedgwick,

LODGED

ORIGINAL

1 Detert, Moran & Arnold, LLP, appeared on behalf of Defendants,
2 Fidelity and Deposit Company of Maryland, a corporation, and
3 Burns & McDonnell Construction, Inc., a corporation.
4

5 After reading and considering the moving, opposition
6 and reply papers, and hearing oral argument, the Court hereby
7 grants Plaintiff's Motion and orders that Plaintiff is entitled
8 to recover its reasonable attorney fees, the amount of which is
9 to be determined by subsequent noticed motion.

10 **JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFF.**

11
12 DATED: 12-30-07.

13 
14 STEPHEN G. LARSON, JUDGE
15 U. S. DISTRICT COURT

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1 **PROOF OF SERVICE-MAIL**
2

3 COUNTY OF LOS ANGELES
4 STATE OF CALIFORNIA

5 I, the undersigned, declare:

6 I am employed in the County of Los Angeles, State of California. I
7 am over the age of 18 and not a party to the within action. My business address
8 is George Sykulski, A Professional Law Corporation, 16027 Ventura Blvd., Suite
9 503, Encino, California 91436.

10 On December 28, 2007, I served a copy of the enclosed
11 **[PROPOSED] JUDGMENT** on the interested parties by placing true copies of the
12 document(s), enclosed in sealed envelope(s) addressed as follows:

13 Jonathan J. Dunn
14 Joanna M. Curtis
15 Sedgwick, Detert, Moran & Arnold, LLP
16 3 Park Plaza, 17th Floor
17 Irvine, CA 92614

18 I am "readily familiar" with the firm's practice of collecting and
19 processing correspondence for mailing. Under that practice, mail is deposited
20 with the U. S. Postal Service on that same day with postage fully prepaid at
21 Encino, California in the ordinary course of business. I am aware that, on motion
22 of the party served, service is presumed invalid if postal cancellation date or
23 postage meter date is more than one day after the date of deposit for mailing as
24 set forth in this affidavit.

25 I declare under penalty of perjury under the laws of the State of
26 California that the foregoing is true and correct.

27 Executed on December 28, 2007 at Encino, California.

28 Lori Cook

29 Lori Cook